



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Saul H. Rosenberg, *et al.*

Serial No.: 10/659,850

Filed: September 11, 2003

For: COMPOUNDS AND USES THEREOF

Examiner: (not assigned)

Group Art Unit: (not assigned)

Case No.: 6970.US.01

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

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Date of Deposit: May 17, 2004

Kathleen Boettcher 5/17/04  
Kathleen Boettcher Date

TRANSMITTAL LETTER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement for Saul H. Rosenberg, *et al.* for, COMPOUNDS AND USES THEREOF, the specification of which was filed on September 11, 2003, and received Serial No. 10/659,850.

Also enclosed are: Form PTO 1449 (in duplicate) w/thirteen (13) references  
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Saul H. Rosenberg, *et al.*

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**PATENT**

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits under 37 CFR § 1.97(b).

The Applicants submit herewith Form PTO 1449 listing the references cited for this Information Disclosure Statement.

The Applicants respectfully request that the Examiner initial next to each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and that a copy of the initialed Form PTO 1449 be returned to Applicants.

No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

Respectfully submitted,  
Saul H. Rosenberg, *et al.*

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DATE: May 17, 2004 SHEET 1 of 1

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98 (b))

ATTY. DOCKET NO.

6970.US.01

SERIAL NO.

10/659,850

APPLICANT

Saul H. Rosenberg, et al.

FILING DATE

September 11, 2003

GROUP

(not assigned)

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | PATENT NUMBER | ISSUE<br>DATE | PATENTEE | CLASS | SUB<br>CLASS | FILING<br>DATE |
|---------------------|---------------|---------------|----------|-------|--------------|----------------|
|                     |               |               |          |       |              |                |
|                     |               |               |          |       |              |                |
|                     |               |               |          |       |              |                |

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

| DOCUMENT NUMBER | PUBLI-<br>CATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUB<br>CLASS | TRANS-<br>LATION |
|-----------------|--------------------------|-----------------------------|-------|--------------|------------------|
|                 |                          |                             |       |              | YES NO           |
|                 |                          |                             |       |              |                  |
|                 |                          |                             |       |              |                  |
|                 |                          |                             |       |              |                  |

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

|     |   |
|-----|---|
| C1  | Acehan, D., et al., "three-Dimensional Structure of the Apoptosome: Implications for Assembly, Procaspase-9 Binding, and Activation", <i>Molecular Cell</i> , 9:423-432 (2002)                                |
| C2  | Chao, D. T. & Korsmeyer, S. J., "BCL-2 Family: Regulators of Cell Death", <i>Annual Reviews of Immunology</i> , 16(1):395-419 (1998)  |
| C3  | Deveraux, Q. L. & Reed, J.C., "IAP family proteins - suppressors of apoptosis", <i>Genes &amp; Development</i> , 13(3):239-252 (1999)   |
| C4  | Du, C., et al., "Smac, a Mitochondrial Protein that Promotes Cytochrome c-Dependent Caspase Activation by Eliminating IAP Inhibition", <i>Cell</i> , 102:33-42 (2000)   |
| C5  | Hegde, R., et al., "Identification of Omi/HtrA2 as a Mitochondrial Apoptotic Serine Protease That Disrupts Inhibitor of Apoptosis Protein-Caspase Interaction", <i>J. Biol. Chem.</i> , 277(1):432-438 (2002) |
| C6  | Hengartner, M. O., "The biochemistry of apoptosis", <i>nature</i> , 407:770-776 (2000)  |
| C7  | Jiang, X & Wagy, X., "Cytochrome c Promotes Caspase-9 Activation by Inducing Nucleotide Binding to Apaf-1", <i>J. Biol. Chem.</i> , 275(40):31199-31203 (2000)  |
| C8  | Li, P., et al., "Cytochrome c and dATP-Dependent Formation of Apaf-1/Caspase-9 Complex Initiates an Apoptotic Protease Cascade", <i>Cell</i> , 91:479-489 (1997)  |
| C9  | Rodriguez, J. & Lazebnik, Y., "Caspase-9 and APAF-1 form an active holoenzyme", <i>Genes &amp; Dev.</i> , 13:3179-3184 (1999)   |
| C10 | Suzuki, Y., et al., "A Serine Protease, HtrA2, Is Released from the Mitochondria and Interacts with XIAP, Inducing Cell Death", <i>Molecular Cell</i> , 8:613-621 (2001)                                      |
| C11 | Thornberry, N.A., & Lazebnik, Y., "Caspases: Enemies Within", <i>Science</i> , 281(5381):1312-1316 (1998)   |
| C12 | Verhagen, A. M., et al., "Identification of DIABLO, a Mammalian Protein that Promotes Apoptosis by Binding to and Antagonizing IAP Proteins", <i>Cell</i> , 102:43-53 (2000)                                  |
| C13 | Wang, X., "The expanding role of mitochondria in apoptosis", <i>Genes &amp; Dev.</i> , 15(22):2922-2933 (2001)  |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)